

**Transnational Families, Migration and the Law (preliminary program)**  
**Seminar 18 February 2014, Radboud University Nijmegen, Centre for Migration law**

**Background**

One of the consequences of transnational developments is the existence of transnational families: families that have kin ties across national borders. The concept of transnational families includes spouses, parents and children, but it also includes the wider, extended family (in-laws, grandparents) living across borders. They direct our focus to the personal and private space that is filled with love, friendship, fear, violence, cooperation, power, resistance and politics (Marshall & Barclay, 2003). In the literature on transnational families, considerable attention has been paid to the issue of how family ties are maintained and transformed across borders, which has been labeled 'kin work': the conception, maintenance and ritual celebration of cross-household ties.

In this seminar, we look at the role law plays in the lives of transnational families. In their everyday activities and relationships they are at least potentially influenced by multiple sets of law and institutions and they may be orientated to plural and possibly fundamentally different legal systems and normative orderings at the same time.

On the one hand, law may constrain the choices of transnational family members or their ability to move and live transnationally. On the other hand, it is claimed that law may offer opportunities for transnational family members for strategic action or legal system shopping, in which family members may translate their claims back and forth between different legalities. In any case, law is vital in shaping the geographical and temporal trajectories of transnational families, but how it does this varies across time and context and for different family members. Hence, law may offer opportunities for 'cherry picking' for some, but not for others.

**Aim**

This seminar brings together the findings of several research programs in the Netherlands and abroad on transnational families, including different fields of law: migration law, family law and Islamic law. The aim is to compare findings from the different programs and discuss them with a broader academic audience.

Results will be presented from:

- University of Helsinki, Faculty of Theology, by **Mulki Al-Sharmani**: a program on the marriage norms and practices among Somalis in Finland, drawn on interviews, focus group discussions and life stories. The second project concerns the issue of how ordinary Muslim men and women take on feminist theological thought;
- Maastricht University, by **Miranda Poeze** a program on transnational migration between Africa and Europe, looking at economic as well as socio-cultural impacts on migrants and their home communities, with special focus on child rearing;
- Radboud University, by **Friso Kulk** and **Jessica Carlisle** a program entitled *Transnational families between Dutch and Islamic family law. A study on transnational legal space*, which from a bottom up perspective looks at how Dutch- Moroccan and Dutch-Egyptian family members navigate Dutch and Moroccan or Egyptian family law.

After the seminar, the PhD Defence by Iris Sportel will take place: "*Maybe I'm still his wife*".  
*Transnational Divorce in Dutch-Moroccan and Dutch-Egyptian Families*.

**Transnational Families, Migration and the Law**  
**Seminar 18 February 2014, Radboud University Nijmegen, Centre for Migration law**

**Program**

*Time: 9.30- 15.00*

*Place: Radboud University Nijmegen, CPO-zaal*

**9.30**

welcome and coffee

**10.00-12.00**

Session 1:

- Mulki Al-Sharmani (Faculty of Theology, University of Helsinki) *Religion, Islamic Family Law, and Marriage among Transnational Somalis in Finland*
  
- Miranda Poeze, Maastricht University *Dutch family reunification law and Ghanaian transnational families*
  
- Discussant: Annelies Moors (University of Amsterdam)

**12.00-13.00**

Lunch

**13.00-15.00**

Session 2:

- Jessica Carlisle, *Bordering on Emotional: Parents Resistance to Forced Transnational Separation from Their Children*  
(postdoc researcher)
  
- Friso Kulk, *Navigating along borders. Transnational Families and Dutch and Islamic Family law*
  
- Discussant: Katharina Boele-Woelki (Utrecht University)

**If you would like to participate, please send an email to: [K.Geilman@jur.ru.nl](mailto:K.Geilman@jur.ru.nl)**

You are also invited to the PhD defence by Iris Sportel, "*Maybe I'm still his wife*".  
*Transnational Divorce in Dutch-Moroccan and Dutch-Egyptian Families*

Time: 16.30

Place: Aula/Auditorium, Comeniuslaan 2